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APR 16/04

PTO/SB/26 (10-99)  
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT

Docket Number (Optional)  
21409-PA-CIP

In re Application of: Bessette et al

Application No.: 10/023,145

Filed: December 18, 2001

For: PESTICIDAL ACTIVITY OF PLANT ESSENTIAL OILS AND THEIR CONSTITUENTS

EcoSmart

The owner, Technologies, Inc of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. (see below). The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or record.

6,534,099 and 6,531,163

Robert M. Gamson  
Signature

Jan 20, 2004  
Date

01/23/2004 JADD01 00000100 10023145

01 FC:281 55.00 OP

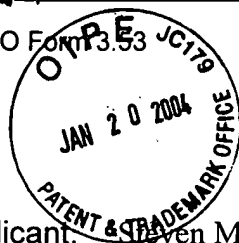
Robert M. Gamson

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included. \$55.00

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

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## CERTIFICATE UNDER 37 C.F.R. §3.73(b)

Applicant: Steven M. Bessette and Myron A. BeiglerApplication No.: 10/023,145 Filed: December 18, 2001For: PESTICIDAL ACTIVITY OF PLANT ESSENTIAL OILS AND THEIR CONSTITUENTS

EcoSmart Technologies, Inc., a corporation,  
(Name of Assignee) (Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 9920, Frame 0757, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has received all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: January 20, 2004Name: Robert M. GamsonTitle: Attorney of RecordSignature: Robert M. Gamson



09, 1999



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PTAS

LEONARD BLOOM & ASSOCIATES, LLC  
ROBERT M. GAMSON, ESQUIRE  
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\*101031510A\*

LEONARD BLOOM & ASSOCIATES LLC

UNITED STATES PATENT AND TRADEMARK OFFICE  
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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/29/1999

REEL/FRAME: 9926/0757  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BESSETTE, STEVEN M.

DOC DATE: 04/27/1999

ASSIGNOR:

BEIGLER, MYRON A.

DOC DATE: 04/27/1999

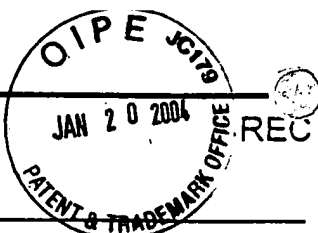
ASSIGNEE:

ECOSMART TECHNOLOGIES, INC.  
555 SUN VALLEY DRIVE, SUITE F-3  
ROSWELL, GEORGIA 30076

SERIAL NUMBER: 09302198  
PATENT NUMBER:

FILING DATE: 04/29/1999  
ISSUE DATE:

LAWAN FLETCHER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



05-07-1999

EET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of P

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1 original documents or copy thereof.

## 1. Name of conveying party(ies):

Steven M. Bessette  
Myron A. BeiglerAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 2. Name and address of receiving party(ies)

Name: ECOSMART TECHNOLOGIES, INC.

Internal Address: \_\_\_\_\_

Street Address: 555 Sun Valley Drive

Suite F-3

City: Roswell State: GA ZIP: 30076

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution date: April 27, 1999

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application date is: April 29, 1999

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Robert M. Gamson, Esquire

Internal Address: LEONARD BLOOM &amp; ASSOCIATES, LLC

Street Address: 401 Washington Avenue

Suite 905

City: Towson State: MD ZIP: 21204

## 6. Total number of applications and patents involved:

1

## 7. Total fee (37 CFR 3.41).....\$ 40.00

- ☒ Enclosed  
☐ Authorized to be charged to deposit account

## 8. Deposit account number:

02-2839

(Attach duplicate copy of this page if paying by deposit account)

05/06/1999 DHSUYEN 00000101 09302198

01 FC:581

40.00 DP

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Robert M. Gamson  
Name of Person Signing

Signature

Date

document:

Total number of pages including cover sheet, attachments, and

4

10542 U.S. PTO  
 09/302198

04/29/99

09/302198 4:29:29

## A S S I G N M E N T

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, We,

Steven M. Bessette  
Myron A. Beigler

do hereby sell and assign to

ECOSMART TECHNOLOGIES, INC.

a corporation organized and existing under the laws of the State of Florida, U.S.A., having its principal place of business at 555 Sun Valley Drive, Suite F-3, Roswell, Georgia 30076, U.S.A.,  
(hereinafter referred to as "ASSIGNEE") its successors, assigns, nominees, or other legal representatives, the entire right, title and interest in and to the IMPROVEMENTS IN:

### PESTICIDAL ACTIVITY OF PLANT ESSENTIAL OILS AND THEIR CONSTITUENTS

invented by us and the application for United States Patent therefor, Serial No. to be assigned, filed concurrently herewith, and all original and reissued patents granted therefor, and all divisions and continuations thereof, including the subject matter of any and all claims which may be obtained in every such patent, and the right to apply for and obtain patents, Utility Model Registrations and Inventor's Certificates in countries foreign to the United States, and in and to any Letters Patent, Utility Model Registration or Inventor's Certificate which may be granted thereon in such foreign countries, including all priority rights under the International Convention associated therewith for each country of the Union, and authorize and request the Commissioner of Patents and Trademarks of the United States, and any official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue the said Letters Patent, Utility Model Registration or Inventor's Certificate to the said "ASSIGNEE," its successors, assigns, nominees or other legal representatives, as assignee of the entire interest, and we covenant that we have full right to convey the entire interest herein assigned and that we have not executed and will not execute any agreement in conflict herewith, and agree that we will communicate to said "ASSIGNEE," its successors, assigns, nominees or other legal representatives all facts known to us respecting said invention, whenever requested, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and do all lawful acts requisite for the application for such divisional, continuing or reissue applications, or the procuring thereof, and that if and when said

"ASSIGNEE," its successors, assigns, nominees or other legal representatives desire to file a disclaimer relating thereto, we will, upon request, sign all lawful papers requisite for the filing of such disclaimer, and we further covenant and agree that we will, at any time upon request, do everything legally possible to aid said "ASSIGNEE," its successors, assigns, nominees or other legal representatives, either in its or their own name, to apply for, obtain and enforce patent, Utility Model and/or Inventor's Certificate protection for said improvements in all countries, all without further consideration but at the expense of said "ASSIGNEE," its successors, assigns, nominees, or other legal representatives.

April 27, 1999  
Date

Steven M. Bessette  
Steven M. Bessette

April 27, 1977  
Date

[Signature]  
Witness

"ASSIGNEE," its successors, assigns, nominees or other legal representatives desire to file a disclaimer relating thereto, we will, upon request, sign all lawful papers requisite for the filing of such disclaimer, and we further covenant and agree that we will, at any time upon request, do everything legally possible to aid said "ASSIGNEE," its successors, assigns, nominees or other legal representatives, either in its or their own name, to apply for, obtain and enforce patent, Utility Model and/or Inventor's Certificate protection for said improvements in all countries, all without further consideration but at the expense of said "ASSIGNEE," its successors, assigns, nominees, or other legal representatives.

4-27-99  
Date

Myron A. Beigler  
Myron A. Beigler

4.27.99  
Date

D. Foster Beigler  
Witness

RMG/chb

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